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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

NOTICE OF MOTION NO. 3833 OF 2006
IN
INCOME TAX APPEAL (L) NO. 2234 OF 2006

The Commissioner of Income Tax ... Appellant

Versus

M/s. Trinity Securities P. Ltd. ... Respondent

Mr. P.S. Sahadevan for the Appellant.

None for Respondent.

**CORAM: F.I. REBELLO &
R.S.MOHITE, JJ.
DATED: DECEMBER 19, 2007**

P.C.

. This is a notice of motion for condoning delay of 600 days in filing the main tax appeal. On perusal of the affidavit in support of the notice of Motion, we find that the file was sent to the Law Ministry for drafting the appeal memo on 23.3.2005 and thereafter the appeal was not drafted till 26.10.2006. In our view, the period between 23.3.2005 and 26.10.2006 has not been properly explained. In the circumstances, sufficient cause is not shown to condone the delay. Hence, Notice of Motion is dismissed.

((-2-))

(R.S.MOHITE, J.)

(F.I.REBELL0, J.)